THE HONOURABLE MRS. JUSTICE T. MEENA KUMARI
AND
THE HONOURABLE MS. JUSTICE G. ROHINI

WRIT PETITION No. 24571 of 2007

ORAL ORDER:
(Per T. Meena Kumari, J)

The Writ Petition is filed seeking to quash the order of the 3rd respondent in LIII(3)/449/2007, dated 9.10.2007 refusing to grant stay of collection of disputed tax of Rs.3,44,480/- pending disposal of the appeal before the Sales Tax Appellate Tribunal, Hyderabad.

It is submitted by the learned counsel for the petitioner that the total liability of demand would be Rs. Rs.3,44,480/-. The learned counsel for the petitioner further submits that a notice dated 9.10.2007 has been issued to the petitioner demanding to pay a sum of Rs. Rs.3,44,480/- and the stay petition filed by the petitioner before the 1st respondent has been rejected by orders dated 9.10.2007. Challenging the said rejection, the present Writ Petition has been filed. It is further submitted by the learned counsel for the petitioner that 25% of the disputed tax has already been paid and the petitioner would be put to irreparable loss, if no stay is granted.

Heard the learned Government Pleader.

In view of the facts and circumstances of the case, it would suffice if stay is granted subject to payment of 50% of the total amount demanded in the notice dated 9.10.2007.

Accordingly, the Writ Petition is disposed of. However, stay is granted subject to payment of 50% of the disputed tax of Rs. Rs.3,44,480/- demanded by the 1st respondent in the notice dated

9.10.2007 and the same shall be deposited before the 1st respondent within a period of four weeks from today. It is made clear that the 25% of the disputed tax already paid by the petitioner towards the disputed tax shall be given to the credit of the 50% of the tax now to be deposited.

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T. MEENA KUMARI, J

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G. ROHINI, J

20.11.2007

N.B.
C.C. by 22.11.2007
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